

REMARKS

In view of the following remarks, the Examiner is respectfully requested to allow Claims 22-46, the only claims pending and currently under examination in this application.

FORMAL MATTERS

Figures 4, 6 and 7 have been objected to. A replacement sheet is included at the end of this response.

Elements 10, 11, 14, 15 in Figures 2-7 have been objected to.

The abstract portion of the specification has been objected to.

Claims 1-3 and 11-13 have been examined and rejected.

Claims 4-10 and 13-21 have been objected to.

Claims 1-21 have been cancelled.

Claims 22-46 have been added. These new claims have been added to more closely align with the claims in issued EP Patent (EP 1,516,194 B1). Support for these new claims can be found in the original claims.

Accordingly, no new matter has been added.

As no new matter has been added, entry thereof by the Examiner is respectfully requested.

Drawings

Figures 4, 6 and 7 have been objected to because reference character 11 has been used to designate both an impedance increasing element in Fig. 4, and a time registering unit in figures 6 and 7.

A corrected drawing sheet in compliance with CFR 1.121(d) has been added to amend Fig. 4, which is included at the end of this Response to Office Action. An amendment has also been made to the specification to address these objections. The reference character 11 in Figure 4 and in the specification has been changed to reference character "20". Accordingly, this objection may be withdrawn.

Elements 10, 11, 14, 15 in Figures 2-7 have been objected to because the Office alleges that they should contain labels or symbols describing their function.

The Applicants would like to point out that the boxes representing these elements are clearly labeled in Figures 2-7, and that the function of these elements is clearly defined in the specification. For example, element 10 is identified as "mains component 10" (p. 9, line 25); element 11 is identified as "time registering unit 11" (p. 11, line 35); element 14 is identified as "time registering unit 14" (p. 12, line 2); and element 15 is identified as "responder 15" (p. 14, line 17). The Applicants therefore respectfully request that this objection be withdrawn.

Specification

The abstract portion of the specification has been objected to for containing the legal phraseology "comprises" on lines 2 and 3.

Amendments have been made to the abstract in accordance with the Examiner's suggestions, and therefore this objection may be withdrawn.

Claim Objections

Claims 4-10 and 13-21 have been objected to because of insufficient antecedent basis, and because of improper multiple dependent claims. As these claims have now been cancelled, the objections to these claims are moot.

Claim Rejections - 35 U.S.C. § 102

Claims 1-3 and 11-13 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Armstrong et al (U.S. 5,856,776).

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Original Claims 1-3 and 11-13 have been cancelled, however original Claim 1 is similar to new Claim 22; original Claim 2 is similar to new Claim 25; original Claim 3 is similar to new Claim 27; original Claim 11 is similar to new Claim 35; original Claim 12 is similar to new Claims 36 and 37; and original Claim 13 is similar to new Claim 38.

An element of the rejected claims is a method of inputting an information signal into a power cable comprising inputting a pulse-like information signal over the dielectric between the one or more conductors and the earth sheath of the power cable, which corresponding information signal is propagated in the dielectric of the power cable to a second position.

Regarding Claim 22 (similar to original Claim 1), the Examiner states that Armstrong discloses a method of inputting a pulse like information signal at a first position via the earth sheath in order to produce a corresponding pulse-like information signal which is propagated to a second position in the dielectric of the power cable (column 5, lines 37-47)." (Office Action, pp. 4-5)

The Applicants respectfully disagree. The portion of the specification that the Examiner refers to states that "each cable comprising at least one inner conductor and an outer sheath" (col. 5, lines 39-41), with no mention of a dielectric. Further, the specification continues "we have found that it is possible to effectively transmit signals

along the cable (primarily along the inner conductor) without having to isolate the sheath from the transformer housing." (col. 5, lines 52-55). This is in contrast to the claimed invention, in which "the information signal is propagated in the dielectric of the power cable to a second position" (emphasis added). Nowhere does Armstrong disclose propagating an information signal in the dielectric. Armstrong therefore does not anticipate the elements of independent Claim 22, or the claims which depend from Claim 22.

Regarding Claim 35 (similar to original Claim 11), the Examiner again states that Armstrong discloses "a corresponding pulse-like information signal which is propagated to a second position in the dielectric of the power cable (column 6, lines 1-25)" (Office Action, p. 5). The cited portion of the reference again refers to transmission of signal in the sheath and inner conductor, with no mention of a dielectric:

"But the sheath also forms a transmission line, of relatively high quality, with the inner conductor, and we have found that a signal balancing between the sheath and the inner conductor occurs, so that along a substantial length of cable, a signal is transferred to the inner conductor of amplitude comparable with that in the sheath. " (column 6, lines 1-6)

Again, this is in contrast to the claims in the current invention, in which the "corresponding information signal is propagated in the dielectric of the power cable to a second position" (emphasis added). Nowhere does Armstrong disclose propagating an information signal in the dielectric. Armstrong therefore does not anticipate the elements of independent Claim 35, or the claims which depend from Claim 35.

Accordingly, the Applicants contend that Armstrong is deficient in that it fails to teach every element of the rejected claims, namely, Armstrong does not teach that information signal is propagated in the dielectric of the power cable. Because Armstrong fails to teach information signal propagated in the dielectric of the power cable, Armstrong does not anticipate the Applicant's invention. Therefore, the Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) of original

Claims 1-3 and 11-13, which contain similar elements to new Claims 22, 25, 27 and 35-38, and the claims that depend from them, be withdrawn.

Unexamined new claims 23-24, 26, and 28-38 are at least patentable for the reasons cited above.

CONCLUSION

In view of the amendments and remarks above, the Applicants respectfully submit(s) that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone Bret Field at (650) 327-3400.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number ARSI-009.

Respectfully submitted,

Date: December 13, 2007

By: /Lynn J. Kidder, Reg. No. 56,107/
Lynn J. Kidder
Registration No. 56,107

Date: December 13, 2007

By: /Bret E Field, Reg. No. 37,620/
Bret E. Field
Registration No. 37,620

Enc: 1 Replacement Sheet of drawings

F:\DOCUMENT\ARSI\009\Response to Office Action of 9-13-07.doc